

Message Text

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FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC 6833

UNCLAS VIENTIANE 1883

E.O. 11652: N/A

TAGS: LA, CGEN, CPAS, CVIS

SUBJECT: ILLEGITIMATE CHILDREN OF FATHERS UNDER SECTION

101(B)(1)(B) 22 CRF 42.1 NOTE 2.3

REF STATE 188437

ATTN VO/RLD

FOLLOWING ARE RESPONSES TO NUMBERED PARA REFTEL.

4. THERE HAVE BEEN NO RPT NO SUCH CASES.

5. NOT APPLICABLE.

6. NOT APPLICABLE.

7. CONSUL CONSULTED WITH THE DIRECTOR OF CONSULAR AFFAIRS
IN THE MINISTRY OF FOREIGN AFFAIRS WHO BEGAN WITH THE SWEEPING
STATEMENT THAT THE REVOLUTION AND ESTABLISHMENT OF NEW GOVERN-
MENT IN DECEMBER, 1975, HAD ABOLISHED ALL FORMER LAWS AND HAD NOT
YET ESTABLISHED NEW ONES. HE ADDED THAT THE LPDR HAD NEVER BEEN
CONFRONTED WITH A QUESTION ABOUT ESTABLISHING A PATERNAL RELATION-
SHIP FOR AN ILLEGITIMATE CHILD BUT WOULD DEVISE A LAW WHEN AND
IF THE PROBLEM PRESENTED ITSELF. AFTER FURTHER QUESTIONING, HOW-
EVER, HE STATED THAT SUCH A RELATIONSHIP CAN BE ESTABLISHED IN
TWO ADMINISTRATIVE WAYS. FIRSTLY, WHEN AN ILLEGITIMATE CHILD IS
LESS THAN THREE MONTHS OLD THE FATHER CAN REGISTER HIS OWN
NAME ON THE BIRTH CERTIFICATE WITHOUT PRESENTING EVIDENCE OF
MARRIAGE TO THE MOTHER WHOSE NAME IS ALSO ON THE CERTIFICATE.

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SECONDLY, THE FATHER CAN PREPARE A STATEMENT WITH INFORMATION ON

BIRTH OF CHILD, ALTHOUGH THERE ARE NO SET RULES FOR WHAT FACTS SHOULD BE INCLUDED IN THE STATEMENT. FATHER THEN MUST HAVE STATEMENT SIGNED BY OFFICIALS FROM FIVE LEVELS OF GOVERNMENT HAVING JURISDICTION OVER THE CITIZEN. THE FIGE SIGNATORIES REQUIRED ARE:

- A. THE UNIT BOSS. A UNIT CONSISTS OF FIVE TO TEN HOUSES.
- B. THE QUARTER BOSS. A QUARTER CONSISTS OF FIVE TO TEN UNITS.
- C. THE SUB-DISTRICT CHAIRMAN. A SUB-DISTRICT CONSISTS OF SIX TO SEVEN QUARTERS.
- D. THE DISTRICT CHAIRMAN. A DISTRICT CONSISTS OF SIX TO SEVEN SUB-DISTRICTS.
- E. THE MAYOR OF THE MUNICIPALITY.

8. IN CONSUL'S OPINION THE USG SHOULD ACCEPT EITHER LPDR PROCEDURE DESCRIBED ABOVE FOR ESTABLISHING PATERNITY IN CASES OF ILLEGITIMATE CHILDREN. IN THE FIRST CASE, THE BIRTH CERTIFICATE OF AN ILLEGITIMATE CHILD FILED WITH THE FATHER'S NAME WITHIN THREE MONTHS SHOULD BE ACCEPTED AS PROOF OF PATENITY JUST AS IT IS ACCEPTED AS PROOF OF MATERNITY WHEN FILED ONLY WITH MOTHER'S NAME. IN THE SECOND CASE, THE USG IS ABLE TO CHECK FOR POSSIBLE FRAUD AT ANY OF FIVE GOVERNMENT LEVELS. CONSUL BELIEVES THAT LPDR REQUIREMENT THAT FATHER FOLLOW THIS PROCEDURE IS ONEROUS ENOUGH WITHOUT USG IMPOSING ADDITIONAL BURDEN.

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